

Colonel Ion Didoiu, Director of Training, for the Romanian Ministry of Defense was quite pleased. The weather in Bucharest was unseasonably cold and rainy, but the joint U.S.-Romanian training and cooperation during the past two weeks had been a huge success. A team of military officers, lawyers and subject matter experts, from the U.S. Defense Institute of International Legal Studies (DIILS) conducted seminars in Bucharest and Brasov, focused on Peace Operations and Disciplined Military Operations. The seminars were the tenth and eleventh phases since 1995 in what might be called a partnership for progress. These latest seminars examined the legal aspects of actual military operations. Earlier phases dealt with topics ranging from military justice to human rights instructor training. The growth of the personal and professional relationships between the US and Romanian officers during the past four years closely mirrors the development of similar DIILS' programs throughout Eastern and Central Europe since 1993.

DIILS was founded in 1992 as the International Training Department (ITD) of the Naval Justice School in Newport, Rhode Island. Originally an office of one, the staff expanded to include military lawyers from each of the uniformed services with the desire to travel to remote and obscure places to assist in developing the "rule of law." Originally created to answer the needs of the U.S. commitment to assist new and developing democracies, ITD quickly gained the attention by its success in addressing difficult problems in difficult situations. In October of 1997, ITD became DIILS with a permanent staff of eleven uniformed service members and civilians. DIILS' mission is to serve as "...the DoD lead agency for providing professional legal education and training to international military officers and civilian government officials in furtherance of US national security and foreign policy objectives." As of November 1999, DIILS has conducted seminars in 69 countries with over 11,200 participants worldwide.

DIILS is one of the most successful programs under the Expanded International Military Education and Training (E-IMET) initiative that was launched by Congress in 1991. According to Academic Director Walter W. Munroe, “[DIILS] respond(ed) to a world which had changed dramatically in a few years. The United States Government had to initiate new relationships with the many emerging democracies that included the new independent states of the former Soviet Union, the former Warsaw Pact countries of Central and Eastern Europe...that were redefining themselves. In particular, the militaries in these foreign countries presented special legal training challenges, including: ill-defined military justice systems; human rights abuses; and a need to redefine the historic relationships between the military and civilian population.”

DIILS initiates the program with an assessment trip to the partner country where a two-member team meets with US Embassy staff and members of the military, the press, non-governmental organizations, lawyers and civilian officials from the partner country. Following the assessment, a delegation from the partner country is invited to come to the U.S. for a planning phase where the details for the follow on seminars are worked out. Additionally, the delegation is exposed to the civilian and military justice systems in the U.S. Following the U.S. visit, the seminars are set to begin in the partner nation. These seminars or phases focus on topics which enhance international security and foster bilateral trust and confidence by emphasizing Human Rights, Military Justice, the Rule of Law and Civilian Control of the Military.

Mobile Education Teams (MET) conduct the in-country seminars or phases. A typical DIILS MET consists of permanent staff members referred to as a Country Program Manager (CPM) and three adjunct faculty members who are either military lawyers

themselves or have expertise in the seminar topic. Adjunct faculty members are selected from active duty and reserve military officers and from the civilian sector. Adjunct faculty members are usually senior officers or officials such as judges, professors or senior legal advisors. When possible, members are selected on the basis of language capability or the ability to develop and maintain professional relationships even after the seminar.

Since 1993, DIILS has worked with eighteen Eastern and Central European countries involving over one hundred programs. Most of these contacts have been as follow-on visits after the initial seminars. In the majority of the countries, DIILS has returned annually to conduct seminars, which become more and more sophisticated as the programs evolve. In Hungary, for example, the seminars focused mainly on military justice for the first few years. However, the need arose to address the concept of Status of Forces Agreements (SOFAs) because Hungary was participating in the Partnership for Peace Program before being admitted into NATO. The most recent seminar – “Legal Aspects of Military and Media Relations”- evolved from issues which arose during the recent events in Kosovo and the Hungarian Military’s need to be able to work effectively with the press. In fact, DIILS developed this seminar directly as a result of requests from the Hungarian government in conjunction with the United States Embassy in Budapest. DIILS has the ability to respond to the requirements of the different Eastern and Central European nations who have a great deal of knowledge and sophistication in certain areas, but lack the infrastructure or institutions necessary to develop the products on their own.

In addition to conducting seminars, DIILS has also assisted various nations who are trying to develop military codes. Since 1995, DIILS has worked closely with military

lawyers in Albania to develop a military code that reflected changes in the country's government and more open view toward the outside world. A delegation from Albania will travel to Newport early next year to complete the project.

The United States is the world's oldest continuous democracy, but one of the world's youngest cultures. Keeping that in mind, DIILS' METs try to make the seminars a dialogue of ideas rather than a monologue on the American legal system, civilian control of the military and the rule of law. Representing a democracy that has had to learn many difficult lessons on its own, the teams offer the lessons learned over our two hundred year history, while often acknowledging that there have been mistakes along the way. The instructors are also keenly aware that what has worked for the United States may not work in every nation. Indeed, the exchanges during these seminars have forced some DIILS team members to reexamine how they view the legal systems in the United States.

Ultimately, these seminars are an excellent forum for the kind of exchange of ideas that leads to a mutual understanding between nations and helps to foster bilateral trust and confidence. One of the ways that discussion is encouraged is through the use of discussion problems where the team asks the seminar participants to work through a problem and answer the questions using their own domestic law or procedures. The participants are divided into groups in order to come up with answers. Later during a debriefing period, each group presents their solutions. In this manner, different ideas about law and democracy are discussed by and among the participants and the DIILS team members. The result of these discussion problem exercises is that all the participants and DIILS team members gain an appreciation for the concepts of the rule of law and civilian control of the military.

DIILS' METs have traveled to Central and Eastern European countries including Albania, Belarus, Bosnia, Bulgaria, Croatia, the Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Macedonia, Moldova, Poland, Romania, Russia, Slovakia, and the Ukraine. During the coming year, several other nations in the region have expressed interest in seminars. Based on past success, DIILS stands ready to support any country in the region develop programs that build on the foundation of the rule of law. DIILS recognizes that these programs create the mutual trust and confidence that leads to international peace and security. On that rainy night in Romania, Colonel Didoiu said something I have heard in many other countries, "So, now we can make plans for a seminar next year." Once more, important relationships had been maintained, U.S. foreign policy advanced, and a developing democracy had been given assistance through the efforts of an organization that prides itself on making a difference in a changing world.